

Notice of Allowability

Application No.

09/939,710

Examiner

Quang N Nguyen

Applicant(s)

UEDA, EIJI

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 03/24/2005.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6 and 9-12.
3. ☒ The drawings filed on 24 March 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Examiner's Amendment

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment maybe filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Tomoki Tanida on April 28th, 2005.

3. Please change claim 9 to:

An e-mail integrated server transmitting e-mail data to a relay center multiplexing the e-mail data and the broadcasting program data broadcasted by a parent station, which the e-mail integrated server comprising:

a mail receiving means for receiving unit operable to receive e-mail data addressed to a specific terminal;

a position management means for acquiring unit operable to acquire position information showing a current position of the terminal to which the e-mail data received by the mail receiving ~~means~~ unit is transmitted;

a relay center selecting means-for-selecting unit operable to select a relay center corresponding to the position information acquired by the position management ~~means~~ unit; and

a mail sending means-for-sending unit operable to send the e-mail data received by the mail receiving ~~means~~ unit to the relay center selected by the relay center selecting ~~means~~ unit, wherein the selected relay center includes a multiplexing unit operable to multiplex the e-mail data addressed to the terminal sent by the mail selecting unit with the broadcasting program data.

4. Pursuant to MPEP 606.01, the title has been changed to read:

-- A SYSTEM AND METHOD FOR DELIVERING E-MAIL DATA TO A
TERMINAL VIA A RELAY CENTER BY MULTIPLEXING AND BROADCASTING
E-MAIL DATA WITH BROADCASTING PROGRAM DATA --

5. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's arguments filed on 03/24/2005, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

Mandalia (US 6,636,890) teaches a method for delivering electronic mail (e-mail) messages to a stand-alone Internet mailbox for cable subscribers utilizing cable

television signal distribution networks comprises the steps of: accepting e-mail messages addressed to e-mail subscribers of the cable television distribution network; respectively associating each the e-mail message with data identifying one of the subscribers; adding an address header from the data identifying the subscribers to each the e-mail message corresponding to the premises of the respective e-mail subscriber; and transmitting the e-mail messages and address headers for transmission over the cable distribution network simultaneously with television signals (**Mandalia, Abstract and C1: L49-64**).

Lee et al. (**US 6,212,553**) teaches a system and method for sending and receiving flags and associated data in email transmission, wherein a user (*sender or recipient*) is allowed to attach a flag, or message flag, to an email message (*i.e., the message flag could be changed on the basis of the instruction of user*) identifying the follow-up action, or action item, that is required to deal with the message (*i.e., whether the email data should be transmitted by means of the broadcasting or not*), and may also include a deadline (**Lee, C20: L58-65**).

However, the prior art of record fails to teach or suggest individually or in combination that a method and system for multiplexing broadcasting program data with e-mail data and then delivering the multiplexed data to a terminal, comprising: a mail receiving unit operable to receive e-mail data addressed to a specific terminal; a position management unit operable to acquire position information showing a current position of the terminal to which the e-mail data received by the mail receiving unit is transmitted; a relay center selecting unit operable to select a relay center corresponding

to the position information acquired by the position management unit, the selected relay center configured for relaying the broadcasting program data to a relay area where the terminal is located; a mail sending unit operable to send the e-mail data received by the mail receiving unit to the relay center selected by the relay center selecting unit; receiving the broadcasting program data from the parent station by the relay center; multiplexing the e-mail data addressed to the terminal with the broadcasting program data by the relay center, the e-mail data being received by the relay center, the broadcasting program data being received in the step of receiving the step of receiving the broadcasting program data; and delivering to the relay area the broadcasting program data multiplexed with the e-mail data addressed to the terminal in the multiplexing step as set forth in independent claims 1, 9 and 12. Claims 1-3, 5-6 and 9-12 are allowed because of the combination of other limitations and the limitation listed above.

The examiner finds the Applicant's arguments on pages 8-9 of the Remarks filed on 03/24/2005 to be persuasive. The applicant argued in substance that the combination of prior art of records fail to disclose the features of the invention including a position management unit operable to acquire position information showing a current position of the terminal to which the e-mail data received by the mail receiving unit is transmitted; a relay center selecting unit operable to select a relay center corresponding to the position information acquired by the position management unit, the selected relay center configured for relaying the broadcasting program data to a relay area where the terminal is located; multiplexing the e-mail data addressed to the terminal with the


broadcasting program data by the relay center; and delivering to the relay area the broadcasting program data multiplexed with the e-mail data addressed to the terminal in the multiplexing step, as claimed in the invention to allow a broadcast system, an e-mail integrated server and an e-mail delivery method to be able to deliver e-mail to a mobile terminal which move with its user by using the position management unit to acquire and manage the current position of the terminal (see Remarks, pages 8-9 and see Summary of the Invention, page 6, lines 9-13).

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Examiner's Amendment."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER